

The actions delineated below were taken in open session of the EPSB at the February 19, 2016, special meeting. This information is provided in summary form; an official record of the meeting is available in the permanent records of the Education Professional Standards Board (EPSB), 100 Airport Road, 3rd Floor, Frankfort, KY 40601

**Education Professional Standards Board (EPSB)
Summary Minutes of the Special Meeting
EPSB Offices, 100 Airport Road, 3rd Floor
Frankfort, Kentucky**

Call to Order

Chair Anthony Strong called the meeting to order at 9:05 a.m. EST.

Mission Statement

Chair Anthony Strong read the mission statement to the Board.

Roll Call

The following Board members were present during the February 19, 2016, EPSB special meeting: Ellen Blevins, Tolya Ellis, Esther Fatsy, Leslie Fields, Donna Hedgepath, Allen Kennedy, Ann Morgan, Jay Morgan, Mary John O'Hair, Laura Schneider, Stephen Pruitt, Sandy Sinclair-Curry, Anthony Strong, Sarah Thompson, and Cassandra Webb. David Whaley and Kimberly Young were absent.

Open Speak

Sam Evans

Dr. Sam Evans from Western Kentucky University informed the Board of his concerns with the University of the Cumberlands' faculty qualifications and program integrity in its Educator Preparation Program. He also said that he felt the University needed to be thoroughly investigated prior to the Board approving its programs on the agenda.

Barbara Kennedy

Dr. Barbara Kennedy from the University of the Cumberlands stated that the mission of the University has always been one which was compatible to the means of the mountain people. She said that students have never been charged large rates to attend the institution, so recently many students have begun to attend the University when it began its online program. She shared data and said the University has quality programs and its Praxis scores exceed the national average as well as the state average for many institutions.

Approval of Consent Item

2016-001

Motion made by Mr. Allen Kennedy, seconded by Ms. Tolya Ellis, to approve the following item on the consent agenda:

Approval of December 14, 2015, EPSB Meeting Minutes

Vote: *Unanimous*

Report of the Executive Director

Executive Director Jimmy Adams introduced the Education and Workforce Development General Counsel Bridget Papalia to the Board and advised them that she would be the Board's general counsel for the meeting.

Report from the Kentucky Department of Education

Commissioner Stephen Pruitt said that he recently gave the State of the K-12 Education in the Commonwealth address. He also shared his thoughts that it will be a tough budget season.

Report from the Council on Postsecondary Education (CPE)

Dr. Jay Morgan said CPE was in the process of finalizing the statewide strategic plan for higher education. He said it will go before the council in April. Additionally, Dr. Morgan said that preliminary discussions on modifying teacher leader programs have been made with the deans and provosts and that the EPSB and KDE have been involved in those discussions.

Strategic Plan Update

A written report was provided in the Board's folder. The Board had no questions on the report.

Legislative Update

The EPSB's Legislative Liaison Marcie Lowe gave an update on legislation that could affect the EPSB.

Update from Combating Inappropriate Student-Teacher Relationships Task Force

Executive Director Adams said that the task force had met twice and another meeting was scheduled for March 15, 2016. He said that discussion from the committee so far had included a need to review and revise the State Code of Ethics and a possible recommendation for pre-service training for the issuance of certificates and renewal of certificates.

Other Updates

Mr. Adams introduced the EPSB's newest staff member, Daniel Clark, who works for the Division of Certification.

Report of the Chair

Recognition of Former EPSB Members

Chair Strong recognized Marie McMillen and Brandy Beardsley for their valued service to the Board.

Information/Discussion Items

Mid-year Budget Report

Mr. Adams said that the EPSB has been asked to reduce its current fiscal year budget by 4.5%. Additionally, the proposed biennium budget by the Governor asks for further reductions of up to 9%. Mr. Adams provided staff recommendations on how to manage the reductions which included savings on Board travel, Attorney General fees, printing costs, personnel credits, and lowering the payments to cooperating teachers. Mr. Adams stated that the Board may need to redesign KTIP which has not been fully funded since 2008 and is half of the EPSB budget. He expressed concern that if restricted funds which the agency has used to offset budget reductions

begin to dwindle, then the EPSB may need to consider raising certification fees on teachers. He said emergency substitutes are not currently charged for their certification so adding a fee for this certification may need to be discussed in the future.

CAEP Partnership Agreement

Mr. Terry Hibpshman reported to the Board that the EPSB had a previous agreement with the National Council for Accreditation of Teacher Education (NCATE) for accrediting teacher certification programs in Kentucky. Now the Council for Accreditation for Educator Preparation (CAEP) is the provider and has been working on developing partnership agreements with individual states. In June 2015 the Board adopted the CAEP standards and approved a CAEP partnership agreement task force charter and membership. In January 2016, the task force met and developed an agreement. There were no questions, concerns, or comments from the Board. This item will be brought before the Board at its April meeting for action.

General Counsel

Mr. Adams and the Board discussed if the agency should employ its own general counsel. Mr. Adams explained that he felt it necessary in light of budget constraints. He said this position would be separate from EPSB legal services and would not be involved in the prosecution of cases; rather, the legal counsel would advise the Board during Board deliberations in closed session. This position would have no prior knowledge of the legal cases prior to the cases being released to the Board. Ms. Laura Schneider asked if adding a staff member would be a greater cost than using the Attorney General's office. Mr. Adams explained that the general counsel position would not be adding a new position; it would be filling a current vacant position within the agency. Dr. Jay Morgan and Dr. Stephen Pruitt spoke in favor of hiring a full-time general counsel for the Board. Ms. Bridget Papalia stated that she had taken an in-depth look and having a full-time general counsel that is separate from the work of prosecuting attorneys within an agency is comparable to other state agencies. Ms. Cassandra Webb stated that as the former chair she would have welcomed the recognition to be able to have a full-time general counsel. She also said she would have liked the Board to have discussed this issue prior to the Attorney General's office being notified that the Board no longer needed its services. She said that she hoped the Board would not run from hard advice that may be against some Board members' beliefs and opinions.

Action Items

Delegation of KRS 13B.110(3) Power to Grant or Deny a Request for an Extension of Time Made Pursuant to KRS 13B.110(2)

2016-002

Motion made by Mr. Kennedy, seconded by Ms. Laura Schneider, to delegate the KRS 13B.110(3) power to grant or deny an extension request to the board chair of the EPSB at the time of the request.

Vote: *Unanimous*

16 KAR 1:030. Procedures for Certificate Revocation, Suspension, Reinstatement and Reissuance, and Application Denial, Amendment, Final Action

Executive Director Adams stated that this regulation had the potential to affect other EPSB regulations so the Board needed general counsel on staff to review the regulation before action is

taken on it. Chair Strong asked for an estimated timeline for when a general counsel may be hired. Ms. Papalia said that a decision was anticipated to be made on a potential candidate by the following week. Dr. Strong asked if her staff could assist in drafting the regulation if necessary. Ms. Papalia said that someone in her office could assist if necessary but it would be close to 60 days before anyone could begin work on it due to the legislative session. Ms. Laura Schneider asked if the Board was going to start all over again on developing a disciplinary regulation. Dr. Strong said that he did not believe so. Ms. Schneider said that the Board needed to decide the purpose behind the disciplinary regulation. She asked if it was to punish or to correct behavior.

2016-003

Motion made by Mr. Kennedy, seconded by Ms. Sandy Sinclair-Curry, to table the action on the proposed amendment to 16 KAR 1:030 until general counsel is approved by the Governor's office for the EPSB and the general counsel has time to review the amendment. The regulation will then be brought back before the Board.

Vote: 10 – Yes

2 – No (Ms. Cassandra Webb, Ms. Laura Schneider)

Continuing Accreditation of the Educator Preparation Unit and Approval of the Initial and Advanced Level Preparation Programs, Asbury University

2016-004

Issue One: Unit Accreditation

Motion made by Dr. Mary John O'Hair, seconded by Ms. Schneider, to accept the recommendation of the Accreditation Audit Committee (AAC) and grant accreditation for Asbury University.

Vote: Unanimous (Ellen Blevins recused)

2016-005

Issue Two: Program Approval

Motion made by Dr. O'Hair, seconded by Mr. Kennedy, to accept the recommendation of the AAC and grant approval for the initial and advanced level educator preparation programs at Asbury University.

Vote: Unanimous (Ellen Blevins recused)

Continuing Accreditation of the Educator Preparation Unit and Approval of the Initial and Advanced Level Preparation Programs, University of the Cumberlands

Chair Strong asked AAC Chair Ellen Blevins if the AAC committee would like to address the Board in commentary to Dr. Evans' Open Speak comments prior to taking action on the item. Ms. Blevins said that the committee agreed with the Board of Examiner's report and did not discuss comments made by Dr. Evans. A few Board members asked Dr. Susan Rose, dean of the College of Education at the University of the Cumberlands, program specific questions and Dr. Susan Rose addressed those questions.

2016-006

Issue One: Unit Accreditation

Motion made by Mr. Allen Kennedy, seconded by Ms. Laura Schneider, to accept the recommendation of the AAC and grant accreditation for University of the Cumberlands. Motion was amended by Ms. Sinclair-Curry, seconded by Ms. Esther Fatsy, for staff to look into the allegations in Dr. Sam Evans' report.

Dr. O'Hair stated that the University met advanced and initial level educator preparation programs so she asked for specific information on what would need to be investigated at the University. Ms. Sinclair-Curry said that the Board needed to look into Dr. Evans' comments made to the Board during Open Speak.

The amendment to the motion failed to pass.

Original Motion Vote: *Unanimous (Ellen Blevins recused)*

2016-007

Issue Two: Program Approval

Motion made by Mr. Kennedy, seconded by Ms. Schneider, to accept the recommendation of the AAC and grant approval for the initial and advanced level educator preparation programs at the University of the Cumberlands.

Vote: *Unanimous (Ellen Blevins recused)*

Continuing Accreditation of the Educator Preparation Unit and Approval of the Initial and Advanced Level Preparation Programs, Union College

2016-008

Motion made by Ms. Schneider, seconded by Ms. Sarah Thompson, to table this item until the April EPSB meeting.

Vote: *Unanimous*

Waivers

16 KAR 5:010. Request to Waive NCATE Language, University of Louisville

2016-009

Motion made by Ms. Schneider, seconded by Dr. O'Hair, to approve the proposed waiver of 16 KAR 5:010 Section 2(2)(b) for the University of Louisville.

Vote: *Unanimous*

16 KAR 5:010. Request to Waive NCATE Language, Murray State University

2016-010

Motion made by Dr. O'Hair, seconded by Ms. Schneider, to approve the proposed waiver of 16 KAR 5:010 Section 2(2)(b) for Murray State University.

Vote: *Unanimous (Dr. Jay Morgan recused)*

16 KAR 5:040. Request to Waive Student Teacher Placement Requirements, Dr. Sam Evans on behalf of Brian Steiner, Cesia Heinlein, Jessica Greer, and Nathaniel Chapman

2016-011

Motion made by Ms. Esther Fatsy, seconded by Dr. O'Hair, to approve the waiver request of 16 KAR 5:040, Section 6(4)(a) for Dr. Sam Evans on behalf of Brian Steiner, Cesia Heinlein, Jessica Greer, and Nathaniel Chapman.

Vote: *Unanimous*

16 KAR 5:040. Request to Waive Student Teacher Placement Requirements, Dr. Laurence Hayes on behalf of Ms. Libby Guth

2016-012

Motion made by Ms. Ellen Blevins, seconded by Ms. Ann Morgan, to approve the waiver request of 16 KAR 5:040, Section 2(b) for Dr. Laurence Hayes on Behalf of Ms. Libby Guth.

Vote: *Unanimous*

Ms. Sandy Sinclair-Curry spoke on behalf of the EPSB waiver committee. She said that the EPSB waiver committee noted that the EPSB system is set up to ensure that only qualified cooperating teachers are to be used for student teachers. The regulation requires that cooperating teachers are trained prior to placement of student teaching. She said that the committee asked that in the event a similar situation occurs in the future, EPSB staff should report non-compliance of the regulation to the Board.

Alternative Route To Certification Application

Lori Ann Collard, Engineering and Technology, Grades 5-12

2016-013

Motion made by Mr. Kennedy, seconded by Ms. Blevins, to approve the alternative route to certification application for Ms. Lori Ann Collard.

Vote: *Unanimous*

Board Comments

The Board had no further comments.

Motion made by Ms. Blevins, seconded by Ms. Ellis, to move into closed session for the purpose of discussing proposed or pending litigation in accordance with KRS 61.810(1) (c) & (j).

Vote: *Unanimous*

Motion made by Ms. Schneider, seconded by Ms. Ellis, to move into open session.

Vote: *Unanimous*

The following board members concurred with the actions as listed below with the noted exceptions:

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Ellen Blevins, Tolya Ellis, Esther Fatsy, Leslie Fields, Donna Hedgepath, Allen Kennedy Ann Morgan, Laura Schneider, Sandy Sinclair-Curry, Anthony Strong, and Sara Thompson.

Attorneys present were Cassie Trueblood, Erik Carlsen-Landy, Chelsea Young, Shuo Han, and Bridget Papalia.

Initial Case Review

<u>Case Number</u>	<u>Decision</u>
1509689	Admonish
1411792	Admonish
1511817	Dismissed
1507489	Admonish
1508635	Admonish
1410721	Defer for training
1511735	Defer for training
1511797	Hear
1505228	Defer
1509693	Hear
1509679	Hear
1508599	Admonish
1511737	Dismissed
1512843	Hear
1509697	Admonish
1505248	Dismissed
1506295	Defer for training
1511803	Defer for training
150221	Dismissed
1506449	Dismissed
1405268	Dismissed
1509677	Dismissed
1509671	Dismissed
1107521	Dismissed

(Ms. Schneider recused)

Character/Fitness Review

<u>Case Number</u>	<u>Decision</u>
151496	Approve
151484	Approve
166	Approve
1624	Approve
1621	Approve
1623	Approve
1632	Approve
1627	Approve
1631	Approve
1640	Approve

168	Approve
1642	Approve
1655	Approve
151497	Approve
1654	Approve
151456	Deny
1695	Approve
151491	Approve
151462	Approve
151489	Deny
151486	Deny
161	Deny
151504	Approve
1620	Approve
1613	Approve
151480	Approve
151466	Approve
151483	Approve
1647	Approve
1657	Approve
1639	Deny
1671	Approve
151495	Deny
151464	Deny
1628	Deny

Agreed Orders

Case Number

Decision

1411754 William Warf

Accept Agreed Order permanently revoking Certificate Number 201136043. Warf shall neither apply for, nor be issued, a teaching and/or administrative certificate in the Commonwealth of Kentucky at any time in the future. Upon acceptance of this agreement by the Board, Warf shall immediately surrender the original and all copies of his certificate, by personal delivery or first class mail, to the Education Professional Standards Board, 100 Airport Road, 3rd Floor, Frankfort, Kentucky 40601.

Vote: *Unanimous (Ms. Hedgepath recused)*

1005301 Tammy Saddler

Accept Agreed Order admonishing Saddler for violating the Administration Code for Kentucky's Educational Assessment Program. The Board reminds Saddler that she has a duty to strictly comply with all administrative procedures related to student testing for the well-being of the students and for the integrity of the testing process. The

Board will not tolerate any further incidents of misconduct by Saddler.

Certificate number 000082542 is currently expired. In addition to the standard requirements of the application process, before Saddler shall be reissued any certificate, she must comply with the following:

1. Saddler shall submit written proof from a licensed/certified psychiatrist or mental health professional, as approved by the Board, that she has complied with a comprehensive evaluation, is competent to fulfill her duties as an educator, is not a danger to herself or others, and is compliant with all treatment recommendations. Saddler shall pay any expense incurred.
2. Saddler shall submit written proof to the Board that she has completed twelve (12) hours of training on the Professional Code of Ethics for Kentucky Certified School Personnel, as approved by the Board. Saddler shall pay any expense incurred.
3. Saddler shall submit written proof to the Board that she has completed a three (3) hour professional development course on the Administration Code for Kentucky's Educational Assessment Program, as approved by the Board. Saddler shall pay any expense incurred.

Should Saddler fail to satisfy any or all of these conditions, the Board shall automatically deny any application submitted by Saddler or on her behalf.

Upon issuance, certificate number 000082542, including any future endorsements or new areas of certification, shall be on probation for a period of three (3) years and subject to the following probationary conditions:

1. If the evaluating psychiatrist/mental health professional recommends ongoing treatment, Saddler shall provide to the Board quarterly written progress reports from her psychiatrist/mental health professional until she is released from treatment. Any expense required for the follow-up treatment shall be paid by Saddler. If Saddler fails to satisfy this condition, certificate number 000082542 shall be automatically suspended until Saddler completes

the required follow-up, and provides the appropriate written proof to the Board.

2. Saddler shall not receive any disciplinary action for violation of the Administration Code for Kentucky's Educational Assessment Program from any school district in which she is employed. "Disciplinary action" is defined as any suspension, termination, or public reprimand issued by any school district in the Commonwealth of Kentucky and upheld, if requested, by either the tribunal and/or arbitration process. If Saddler fails to satisfy this condition, certificate number 000082542 shall be automatically suspended for a period of one (1) year and subject to additional sanctions by the Board pursuant to KRS 161.120.

Saddler is aware that should she violate any provision of KRS 161.120 in the future, the Board shall initiate a disciplinary action and seek additional sanctions.

Vote: *Unanimous*

1505261 Mary Molsky

Accept Agreed Order admonishing Molsky for exercising poor professional judgment. The Board reminds Molsky of her duty to take reasonable measures to protect the health, safety and emotional well-being of her students. Furthermore, Molsky must follow all administrative procedures related to student testing for the well-being of her students and for the integrity of the testing process. The Board will not tolerate any future incidents of misconduct by Molsky.

Molsky is currently on KTRS Disability Retirement. Prior to her return to a position that requires Kentucky certification, Molsky shall provide the following to the Board:

1. Written evidence from a Kentucky licensed/certified psychiatrist or mental health professional approved by the Board, and based upon a comprehensive evaluation that she is mentally capable of safely performing the essential functions of a teacher, and has complied with all treatment recommendations. If Molsky is unable to complete all treatment recommendations prior to her return to a certified position, she shall submit to the Board

semi-annual written progress reports from her psychiatrist or mental health professional until she is released from treatment. Molsky shall pay any expense incurred. If Molsky fails to satisfy any portion of this condition, Certificate Number 200210168 shall be administratively suspended until such condition is satisfied in its entirety.

2. Written evidence from a Kentucky licensed/certified physician approved by the Board, and based upon a comprehensive evaluation that she is physically capable of safely performing the essential functions of a teacher, and has complied with all treatment recommendations. If Molsky is unable to complete all treatment recommendations prior to her return to a certified position, she shall submit to the Board semi-annual progress reports from her physician until she is released from treatment. Molsky shall pay any expense incurred. If Molsky fails to satisfy any portion of this condition, Certificate Number 200210168 shall be administratively suspended until such condition is satisfied in its entirety.

Molsky is aware that should she violate KRS 161.120 in the future, the Board shall initiate a new disciplinary action and seek additional sanctions.

Vote: *Unanimous (Ms. Fields recused)*

150263 Chelsea Rose

Accept Agreed Order permanently revoking Certificate Number 201132512. Rose shall neither apply for, nor be issued, a teaching, administrative or emergency certificate in the Commonwealth of Kentucky at any time in the future. Rose shall immediately surrender the original and all copies of her certificate, by personal delivery or first class mail, to the Education Professional Standards Board, 100 Airport Road, 3rd Floor, Frankfort, Kentucky 40601.

Vote: *Unanimous*

1211731 Tyesha Senter

Accept Agreed Order admonishing Senter for attempting a safe crisis management hold that resulted in injury to the student. The Board reminds Senter of her duty to take reasonable measures to protect the health, safety, and emotional well-being of students. The Board expects educators to correctly implement their training in order to

prevent injury to students. The Board will not tolerate any further incidents of misconduct

Additionally, Certificate Number 201125500 shall be subject to the following probationary conditions:

1. By March 1, 2016, Senter shall provide written proof to the Board that she has successfully completed the Kentucky Department of Education's trainings entitled Promoting Positive Behavior in Schools I & II. Senter shall pay any expense incurred. Should Senter fail to satisfy this condition by March 1, 2016, Certificate Number 201125500 shall be administratively suspended until such condition is satisfied.
2. By September 1, 2017, Senter shall provide written proof to the Board that she has completed two (2) weeks of community service in the Summer Bridge Program through Jefferson County Public Schools. Senter shall not be compensated for this service. Should Senter fail to satisfy this condition, Certificate Number 201125550 shall be administratively suspended until such condition is satisfied.
3. For a period of thirty (30) months, until August 8, 2018, Senter shall not receive any disciplinary action involving inappropriate physical restraint or seclusion of a student from any school district in which she is employed. Should Senter fail to satisfy this condition, Certificate Number 201125500 shall be automatically suspended for a period of forty-five (45) days and subject to additional sanctions by the Board pursuant to KRS 161.120.
"Disciplinary action" is defined as any termination, suspension, or public reprimand issued by any school district in the Commonwealth of Kentucky and upheld, if requested, by either a tribunal and/or arbitration process, including any appeal therefrom. If the tribunal amends the disciplinary action or if Respondent agrees to amend the disciplinary action through arbitration, the new disciplinary action if a termination, suspension, or public reprimand shall be considered a violation of this condition.
4. For a period of four (4) years, Senter shall provide annual written proof to the Board by that she is neither safe crisis management certified nor a

member of the student response team at the school in which she is employed. The written proof shall be confirmed by a knowledgeable supervisor in the human resources department or a SCM certified trainer in the district. Should Senter fail to satisfy this condition, Certificate Number 201125500 shall be automatically suspended for a period of forty-five (45) days and subject to additional sanctions by the Board pursuant to KRS 161.120.

Senter is aware that should she violate KRS 161.120 in the future, the Board shall initiate a new disciplinary action and seek additional sanctions.

Vote: *Unanimous*

CF131082 Tracey Lenox

Accept Agreed Order stating that Lenox shall be issued a teaching certificate in Kentucky only after completing a traditional educator preparation program or meeting the requirements for issuance of an alternative certificate under KRS 161.048. Lenox shall not be eligible for an emergency teaching certificate or emergency substitute certificate until she has been issued either a statement of eligibility or a temporary provisional certificate.

Additionally, within one (1) year of being granted a statement of eligibility or a temporary provisional certificate, Lenox must provide written proof to the Board that she has completed twelve (12) hours of professional development or training on the Professional Code of Ethics for Kentucky Certified School Personnel, as approved by the Board. Any expense required for said training shall be paid by Lenox. Should Lenox fail to satisfy this requirement within one (1) year of being granted a statement of eligibility or a temporary provisional certificate, Lenox's certificate shall be automatically suspended until such training is completed and the appropriate proof is provided to the Board.

Vote: *Unanimous*

1412843 Eric Dick

Accept Agreed Order admonishing Dick for exercising poor professional judgment, and for neglect of duty. As an educator in the Commonwealth of Kentucky, Dick has a duty to take reasonable measures to protect the health, safety, and emotional well-being of students. Furthermore,

as a coach, he owes an additional responsibility to his players, both on and off the field. Dick should have ensured that an administrator was immediately aware of the safety concerns relayed to him by a parent. The Board reminds Dick of his duty to exemplify behaviors which maintain the dignity and integrity of the profession at all times. The Board will not tolerate any further incidents of misconduct from Dick.

1. By June 1, 2016, Dick shall provide written proof to the Board that he has completed nine (9) hours of professional development or training on the Professional Code of Ethics for Kentucky Certified School Personnel, as approved by the Board. Dick shall pay any expense incurred. If Dick fails to satisfy this condition by June 1, 2016, Certificate Number 201071830 shall be automatically suspended until such condition is satisfied.

Dick is aware that should he violate KRS 161.120 in the future, the Board shall initiate a new disciplinary action and seek additional sanctions.

Vote: *Unanimous (Ms. Morgan recused)*

1301100 Gerald Miller

Accept Agreed Order issuing Miller a Kentucky teaching certificate upon providing proof that he has met the academic and testing requirements necessary for issuance of a certificate, and has completed the following:

1. Miller shall provide written proof to the Board that he has completed twelve (12) hours of professional development or training on the Professional Code of Ethics for Kentucky Certified School Personnel, as approved by the Board. Miller shall pay any expense incurred. If Miller fails to satisfy this condition, he will not be issued a certificate until written proof of completion has been provided to the Board.
2. Miller shall provide written proof to the Board that he has completed twelve (12) hours of professional development or training in the area of classroom management, as approved by the Board. Miller shall pay any expense incurred. If Miller fails to satisfy this condition, he will not be issued a

certificate until written proof of completion has been provided to the Board.

Furthermore, any and all certificates issued to Miller shall be subject to the following probationary condition:

1. Miller shall not receive any discipline for violation of the Professional Code of Ethics for Kentucky Certified School Personnel from any school district in which he is employed. If Miller fails to satisfy this condition, any and all certificates issued to him shall be permanently revoked and/or he shall not be issued any certificate in the Commonwealth of Kentucky at any time in the future.

“Disciplinary action” is defined as any termination, suspension, or public reprimand issued by any school district in the Commonwealth of Kentucky and upheld, if requested, by either a tribunal and/or arbitration process, including any appeal therefrom. If the tribunal amends the disciplinary action or if Respondent agrees to amend the disciplinary action through arbitration, the new disciplinary action if a termination, suspension, or public reprimand shall be considered a violation of this condition.

Miller is aware that should he violate KRS 161.120 in the future, the Board shall initiate a new disciplinary action and seek additional sanctions.

Vote: *Unanimous*

140291 James Robinson

Accept Agreed Order admonishing Robinson for failing to maintain the dignity and integrity of the profession. A teacher must take testing materials very seriously and must be very thorough in protecting their integrity. The Board will not tolerate any further incidents of misconduct by Robinson.

By October 31, 2016, Robinson shall provide written proof to the Board that he has successfully completed twelve (12) hours of training on the Professional Code of Ethics for Kentucky Certified School Personnel, as approved by the Board. Any expense incurred for said training shall be paid by Robinson. If Robinson fails to satisfy this condition, Certificate Number 000038765 shall be suspended until

Robinson provides the appropriate written proof to the Board.

By October 31, 2016, Robinson shall provide written proof to the Board that he has successfully completed nine (9) hours of Administration Code training, as approved by the Board. Any expense incurred for said training shall be paid by Robinson. If Robinson fails to satisfy this condition, Certificate Number 000038765 shall be suspended until Robinson provides the appropriate written proof to the Board.

Robinson is aware that should he violate KRS 161.120 the Board shall initiate new disciplinary action and seek additional sanctions.

Vote: *Unanimous*

1507527 Leigh Ann McLaughlin Accept Agreed Order admonishing McLaughlin for exercising poor professional judgment and for impeding the proper implementation of KRS 160.345. The Board reminds McLaughlin that as a principal, she may not vote in School Based Decision Making (SBDM) elections. The Board will not tolerate any further incidents of misconduct by McLaughlin.

Vote: *Unanimous*

1103192 Brandilyn Hubbard Accept Agreed Order stating that Hubbard has provided proof that she has completed training in classroom management involving students with moderate to severe disabilities. Upon acceptance of this Agreed Order by the Board, this case shall be closed.

Vote: *Unanimous*

1408597 Robert Cantrell Accepting Agreed Order stating that Cantrell voluntarily surrenders Certificate Number 201151647. Cantrell shall neither apply for, nor be issued, a teaching and/or administrative certificate in the Commonwealth of Kentucky at any time in the future.

Upon acceptance of this agreement by the Board, Cantrell shall immediately surrender the original and all copies of his certificate, by personal delivery or first class mail, to the

Education Professional Standards Board, 100 Airport Road,
3rd Floor, Frankfort, Kentucky 40601

Vote: *Unanimous*

1408492 Angela Stack

Accept Agreed Order admonishing Stack for putting her hands on a student and physically moving the student up against the wall. As an educator, Stack has a duty to treat all students with dignity and respect. An educator also has a duty to protect the health, safety, and emotional well-being of students. The Board will tolerate no further acts of misconduct by Stack.

Stack has provided written proof that she has completed training on how to handle situations with students involving de-escalation.

Vote: *Unanimous (Ms. Fields recused)*

CF15928 Haley Baker

Accept Agreed Order issuing Baker a Kentucky teaching certificate upon providing proof that she has met the academic and testing requirements necessary for issuance of a certificate, and has completed the following:

1. Baker shall undergo a comprehensive alcohol/substance abuse assessment by a Kentucky licensed and/or certified chemical dependency counselor, as approved by the Board, and shall present written evidence to the Board that she has complied with the assessment process and successfully completed any and all treatment recommendations proposed by the chemical dependency counselor. Any expense for the assessment, treatment and written reports shall be paid by Baker.
2. Baker shall submit written proof to the Board that she has completed a course on professional ethics, as approved by the Board. Any expense required for said training shall be paid by Baker.

Vote: *Unanimous*

1506373 Neva Francis

Accept Agreed Order admonishing Francis for using excessive force in disciplining students. As a professional educator, Francis must treat each and every student with dignity and respect, no matter the circumstance. The Board

reminds Francis that she has a duty to take reasonable measures to protect the health, safety, and emotional well-being of students. In the future, Francis should be more cognizant of appropriate physical boundaries when enforcing discipline in her classroom.

On or before May 15, 2016, Francis shall provide written proof to the Board that she has completed one (1) course of professional development or training, as approved by the Board, in the areas of classroom management and effective disciplinary techniques. Any expense incurred for said training shall be paid by Respondent. If Francis fails to comply with the requirements of this paragraph on or before May 15, 2016, Certificate Number 200138751, and any future endorsements or new areas of certification, shall be automatically suspended until Francis submits the required written proof to the Board.

Vote: *Unanimous*

1306426 Lyndsay Colvin

Accept Agreed Order retroactively suspending Certificate Number 200206338 is for a period of seventy-two (72) days beginning May 21, 2013 and running through July 31, 2013. Upon acceptance of this agreement by the Board, Colvin shall immediately surrender the original and all copies of her certificate to the EPSB by hand delivering or mailing to the following address: Education Professional Standards Board, 100 Airport Road, 3rd Floor, Frankfort, Kentucky, 40601.

Certificate Number 200206338, and any future endorsements or new areas of certification, shall be subject to a permanent probation.

During the first five (5) years of the permanent probationary period, Colvin shall comply with the following:

1. Colvin shall remain under the care of a Kentucky licensed and/or certified mental health counselor, as approved by the Board, and shall provide the Board with biannual written progress reports from such counselor certifying that she is maintaining the counseling relationship and is following all recommended treatment. The biannual written reports shall be due by January 1st and July 1st of

each year of the initial five (5) year probationary term until the counselor releases Colvin from treatment. Any expense incurred for the assessment, treatment and/or written reports shall be paid by Respondent. If Colvin fails to comply with the requirements of this paragraph, Certificate Number 200206338, and any future endorsements or new areas of certification, shall be automatically suspended until Colvin submits the required written report(s) to the Board.

2. On or before June 15, 2016, Colvin shall provide written proof to the Board that she has successfully completed twelve (12) hours of professional development or training, as approved by the Board, on the Professional Code of Ethics for Kentucky Certified School Personnel. Any expense incurred for said training shall be paid by Respondent. If Colvin fails to comply with the requirements of this paragraph, Certificate Number 200206338, and any future endorsements or new areas of certification, shall be automatically suspended until Colvin completes the required training and provides the appropriate written proof to the Board.

For the entirety of the permanent probationary period, Colvin shall comply with the following:

1. Colvin shall remain under the care of a Kentucky licensed and/or certified chemical dependency counselor, as approved by the Board, and shall provide the Board with annual written progress reports from such counselor certifying that she is maintaining the counseling relationship and is following all recommended treatment. The annual written reports shall be due by January 1st of each year of the probation until the counselor releases Colvin from treatment. Any expense incurred for the assessment, treatment and/or written reports shall be paid by Respondent. If Colvin fails to comply with the requirements of this paragraph, Certificate Number 200206338, and any future endorsements or new areas of certification, shall be automatically suspended until Colvin submits the required written report(s) to the Board.
2. Colvin shall immediately submit to any random drug testing requested by the Board and shall not

test positive for any illegal substances, byproducts of illegal substances, or prescription medications for which Colvin does not possess a current, valid prescription. Prescription medications for which Colvin does possess a current, valid prescription must be within therapeutic levels/ranges. Any expense for said testing shall be paid by the Respondent. Failure to comply with this condition will result in an automatic one (1) year suspension of Certificate Number 200206338. If applicable, at the conclusion of the one (1) year suspension, Certificate Number 200206338 shall remain suspended until such time as this probationary condition is met.

3. Colvin shall not be convicted of nor enter a guilty or no contest plea to any criminal charge(s) other than minor traffic violations. Failure to comply with this condition will result in Colvin's certificate being suspended for further action by the Board.
4. Colvin shall submit a current criminal background report, as prepared by the Administrative Office of the Courts, to the Board with any application for renewal of her certification(s) and/or for issuance of additional certification(s). Any expense for the criminal background report shall be paid by Respondent. Failure to comply with this condition will result in the denial of all applications for renewal and/or additional certification(s) submitted by Colvin or on her behalf.

Colvin is aware that should she violate any provision of KRS 161.120, at any time in the future, the Board shall initiate disciplinary action and seek additional sanctions.

Vote: *Unanimous*

1407482 David Mike

Accept Agreed Order admonishing Mike for violating the Administration Code for Kentucky's Educational Assessment Program. The Board reminds Mike that he has a duty to follow all administrative procedures related to student testing for the well-being of the students and for the integrity of the testing process. The Board will not tolerate acts of this misconduct by Mike.

Administrative certificates for certificate number 199602936, Professional Certificate for Instructional

Leadership – Middle Grade School Principal, Grades 5-8; Professional Certificate for Instructional Leadership – Secondary School Principal, Grades 9-12; Professional Certificate for Instructional Leadership – School Superintendent, are retroactively suspended for a period of forty five (45) days beginning January 1, 2015. Upon acceptance of this agreement by the Board, Mike shall immediately surrender the original and all copies of his certificate, by personal delivery or first class mail, to the Education Professional Standards Board, 100 Airport Road, 3rd Floor, Frankfort, Kentucky 40601.

Upon the Board's acceptance of this Agreed Order, certificate number 199602936, including any and all endorsements, shall be on probation for a period of five (5) years and subject to the following probationary conditions:

1. Mike shall submit written proof to the Board that he has received six (6) hours of training on the Administration Code for Kentucky's Education Assessment Program by July 1, 2016. Any expense required for said training shall be paid by Mike; and
2. Mike shall submit written proof to the Board that he has received twelve (12) hours of training on the Professional Code of Ethics for Kentucky Certified School Personnel by July 1, 2016. Any expense required for said training shall be paid by Mike;
3. Mike shall receive no new disciplinary action for ACT testing violations during the probationary period. "Disciplinary action" is defined as any suspension, termination, or public reprimand issued by any school district in the Commonwealth of Kentucky and upheld, if requested, by either a tribunal and/or arbitration process.

Should Mike fail to satisfy any of the above conditions, certificate number 199602936 shall be suspended and will remain so until the conditions are met.

Mike is aware that should he violate KRS 161.120, either during or following this probation, the Board shall initiate new disciplinary action and seek additional sanctions.

Vote: *Unanimous*

1408587 Hank Bowen Accept Agreed Order stating that Bowen is retired and has no plans to return to the classroom. Bowen shall neither apply for, nor accept a position that requires certification in the Commonwealth of Kentucky at any time in the future. Should Bowen fail to satisfy this condition, certificate number 200100389 shall be automatically permanently revoked.

Vote: *Unanimous*

1408581 Charles Spartman Accept Agreed Order retroactively suspending Certificate number 199902433 from June 4, 2015 through August 2, 2015. Upon acceptance of this agreement by the Board, Spartman shall immediately surrender the original and all copies of this certificate, by first class mail or personal delivery, to the Education Professional Standards Board, 100 Airport Road, Third Floor, Frankfort, Kentucky 40601.

Upon the Board's acceptance of this Agreed Order, certificate number 199902433 and any future endorsements or new areas of certification shall be on probation for a period of two (2) years and subject to the following probationary conditions:

1. By June 15, 2016, Spartman shall provide written proof to the Board from a Kentucky licensed or certified chemical dependency counselor, as approved by the Board, that he has complied with a comprehensive alcohol abuse assessment, and is compliant with all treatment recommendations. If the evaluating chemical dependency counselor recommends ongoing treatment, Spartman shall provide to the Board quarterly written progress reports to begin three (3) months after submission of the initial evaluation to the Board, until the evaluating chemical dependency counselor releases him from treatment. Each progress report shall certify that Spartman is continuing to comply with any and all treatment recommendations, and that he remains fit and competent to fulfill his duties as an educator. Spartman shall pay any expense incurred.
2. By June 15, 2016, Spartman shall provide written proof to the Board that he has completed twelve (12) hours of training on the Professional Code of Ethics for Kentucky Certified School Personnel. Spartman shall pay any expense incurred.

Should Spartman fail to satisfy any of the above conditions, certificate number 199902433 shall be automatically suspended until Spartman completes the requirements and provides the appropriate written proof to the Board.

Spartman is aware that should he violate KRS 161.120, either during or following this probation, the Board shall initiate new disciplinary action and seek additional sanctions.

Vote: *Unanimous*

1306455 Lezlie Fishback

Accept Agreed Order retroactively suspending Certificate number 199800938 is for a period of one (1) year beginning April 8, 2013. Upon acceptance of this agreement by the Board, Fishback shall immediately surrender the original and all copies of this certificate, by first class mail or personal delivery, to the Education Professional Standards Board, 100 Airport Road, Third Floor, Frankfort, Kentucky 40601.

Upon the Board's acceptance of this Agreed Order, certificate number 000029537 and any future endorsements or new areas of certification shall be on probation for a period of five (5) years and subject to the following probationary conditions:

1. By May 15, 2016, Fishback shall provide written proof to the Board from a Kentucky licensed or certified chemical dependency counselor, as approved by the Board, that she has complied with a comprehensive substance abuse assessment, and is compliant with all treatment recommendations. If the evaluating chemical dependency counselor recommends ongoing treatment, Fishback shall provide to the Board quarterly written progress reports to begin three (3) months after submission of the initial evaluation to the Board, until the evaluating chemical dependency counselor releases her from treatment. Each progress report shall certify that Fishback is continuing to comply with any and all treatment recommendations, and that she remains fit and competent to fulfill her duties as an educator. Fishback shall pay any expense incurred.

2. In accordance with KRS 161.175, Fishback shall submit to random drug testing during the probationary period, to be administered by a provider approved by the Board, and shall receive no tests positive for illegal substances or in excess of therapeutic levels generally acceptable in the medical community. Fishback shall pay any expense incurred.
3. By May 15, 2016, Fishback shall provide written proof to the Board that she has completed twelve (12) hours of training on the Professional Code of Ethics for Kentucky Certified School Personnel. Fishback shall pay any expense incurred.

Should Fishback fail to satisfy any of the above conditions, certificate number 199800938 shall be automatically suspended until Fishback completes the requirements and provides the appropriate written proof to the Board.

Fishback is aware that should she violate KRS 161.120, either during or following this probation, the Board shall initiate new disciplinary action and seek additional sanctions.

Vote: *Unanimous*

1504189 Timothy Ellis

Accept Agreed Order permanently revoking Certificate Number 200135291. Ellis shall neither apply for, nor be issued, a teaching and/or administrative certificate in the Commonwealth of Kentucky at any time in the future.

Upon acceptance of this agreement by the Board, Ellis shall immediately surrender the original and all copies of his certificate, by personal delivery or first class mail, to the Education Professional Standards Board, 100 Airport Road, 3rd Floor, Frankfort, Kentucky 40601.

Vote: *Unanimous*

1507481 Matthew Schmitz

Accept Agreed Order retroactively suspending Certificate number 201169512, including any and all endorsements, for a period of forty five (45) days beginning June 1, 2015. Upon acceptance of this agreement by the Board, Schmitz shall immediately surrender the original and all copies of his certificate, by personal deliver or first class mail, to the

Education Professional Standards Board, 100 Airport Road,
3rd Floor, Frankfort, Kentucky 40601.

Upon the Board's acceptance of this Agree Order, Schmitz's teaching certificate, number 201169512 and any future endorsements or new areas of certification, shall be on probation for a period of two (2) years and subject to the following probationary conditions:

1. Schmitz has submitted proof that he has undergone a comprehensive substance abuse assessment. Schmitz shall also submit written proof to the Board that he has complied with the assessment process and has successfully completed any and all treatment recommendations, if any, by the end of the probationary period. If Schmitz is not able to complete all treatment recommendations by the end of the probationary period, he shall submit written progress reports from his chemical dependency counselor on January 1st and July 1st until such time as the counselor releases him from treatment. Each progress report shall certify that Schmitz is continuing to comply with any and all treatment recommendations, and that he remains fit and competent to fulfill his duties as an educator. Any expense for the assessment, treatment, and/or written reports shall be paid by Schmitz.
2. Schmitz shall submit written proof to the Board that he has completed twelve (12) hours of training on the Professional Code of Ethics for Kentucky Certified School Personnel by July 1, 2016. Any expense for said training shall be paid by Schmitz.
3. In accordance with KRS 161.175, Schmitz shall submit to random drug testing during the probationary period, to be administered by a provider approved by the Board, and shall receive no drug test positive for illegal substances or in excess of therapeutic levels generally acceptable in the medical community. Any expense required for the drug testing shall be paid by Schmitz; and
4. Schmitz shall not be convicted of any crime involving the use and/or possession of any controlled substance or alcohol during the probationary period. Schmitz shall submit a copy of his current criminal record, as prepared by the Kentucky State Police, by July 1st of each year of

the probationary period. Any expense required to satisfy this condition shall be paid by Schmitz.

Should Schmitz fail to satisfy any of the above conditions, certificate number 201169512 shall be automatically suspended for a period of one (1) year and subject to additional sanctions by the Board pursuant to KRS 161.120.

Vote: *Unanimous (Ms. Fatsy recused)*

1207423 Brian Jenkins

Accept Agreed Order admonishing Jenkins for his failure to adequately supervise students in his classroom, leading to him being unaware that a male student had inappropriately touched a female student in his class. As an educator, Jenkins has a duty to be cognizant of any misbehavior that is occurring in the classroom in which he is teaching. The Board further reminds Jenkins that he has a statutory responsibility to report all incidents of abuse, neglect, or dependency of a child to law enforcement or the Cabinet for Health and Family Services. The Board will tolerate no further acts of this misconduct from Jenkins.

Additionally, Jenkins shall submit written proof that he has completed professional development/training in the area of sexual abuse awareness, as approved by the Board, by May 1, 2016. Any expense for this training shall be paid by Jenkins. If Jenkins fails to satisfy this condition, certificate number 200231139 shall be automatically suspended until Jenkins completes the required training and provides the appropriate written proof to the Board.

Vote: *Unanimous (Ms. Fields recused)*

1404222 Timothy Middleton

Accept Agreed Order admonishing for failing to take reasonable measures to protect the health, safety, and emotional well-being of his students. A teacher must conduct themselves in a professional manner when dealing with students and should not exceed the limits of their restraint training.

Middleton has provided proof to the Board that he has completed professional development/training in the area of anger management and safe crisis management, along with attending an anger management assessment.

Vote: *Unanimous (Ms. Fields recused)*

1506435 Karen Kruger

Accept Agreed Order admonishing Kruger for exercising poor professional judgment. The Board reminds Kruger that she has a duty to take reasonable measures to protect the health, safety, and emotional well-being of students. Kruger should be more cognizant of appropriate boundaries when responding to a student's behavior. The Board expects Kruger to uphold the Professional Code of Ethics for Kentucky Certified School Personnel in the future.

By June 30, 2016, Kruger shall provide written proof to the Board that she has received nine (9) hours of classroom management training, as approved by the Board. Any expense for this de-escalation training shall be paid by Kruger. If Kruger fails to satisfy this condition, Certificate Number 000024956 shall be automatically suspended until Kruger completes the required training and provides the appropriate written proof to the Board.

Vote: *Unanimous*

150299 Nicole Curtis

Accept Agreed Order suspending Certificate Number 000066652 for a period of five (5) days. Curtis shall immediately surrender the original and all copies of her certificate, by personal delivery or first class mail, to the Education Professional Standards Board, 100 Airport Road, Third Floor, Frankfort, Kentucky 40601.

1. On or before October 1, 2016, Curtis shall provide written proof to the Board that she has completed twelve (12) hours of professional development or training on the Professional Code of Ethics for Kentucky Certified School Personnel, as approved by the Board. Curtis shall pay any expense incurred. If Curtis fails to satisfy this condition by October 1, 2016, Certificate Number 000066652 shall be automatically suspended until such condition is satisfied.
2. On or before October 1, 2016, Curtis shall provide written proof to the Board that she has completed twelve (12) hours of classroom management training, as approved by the Board. Curtis shall pay any expense incurred. If Curtis fails to satisfy this condition by October 1, 2016, Certificate Number

000066652 shall be automatically suspended until such condition is satisfied.

3. On or before October 1, 2016, Curtis shall provide written proof to the Board that she has completed the Kentucky Department of Education's trainings entitled Promoting Positive Behavior in Schools I & II. Curtis shall pay any expense incurred. If Curtis fails to satisfy this condition by October 1, 2016, Certificate Number 000066652 shall be automatically suspended until such condition is satisfied.

Additionally, Certificate Number 000066652 shall be subject to the following probationary condition for a period of two (2) years:

1. Curtis shall not receive any disciplinary action for violating the Professional Code of Ethics for Kentucky Certified School Personnel from any school district in which she is employed. If Curtis fails to satisfy this condition, Certificate Number 000066652 shall be automatically suspended for a period of thirty (30) days and subject to additional sanctions by the Board pursuant to KRS 161.120.

"Disciplinary action" is defined as any termination, suspension, or public reprimand issued by any school district in the Commonwealth of Kentucky and upheld, if requested, by either a tribunal and/or arbitration process, including any appeal therefrom. If the tribunal amends the disciplinary action or if Respondent agrees to amend the disciplinary action through arbitration, the new disciplinary action if a termination, suspension, or public reprimand shall be considered a violation of this condition.

Curtis is aware that should she violate KRS 161.120 in the future, the Board shall initiate a new disciplinary action and seek additional sanctions.

Vote: *Unanimous*

1506451 Rhonda Swann

Accept Agreed Order admonishing Swann for exercising poor professional judgment and for failing to properly manage a student's behavior. The Board recognizes that students are going to misbehave and disrupt the classroom setting, but an educator must remain aware of the line

between appropriate and inappropriate physical intervention when interacting with a student. The Board reminds Swann that she has a duty to protect the health and safety of students and to set a positive example for her students. The Board will not tolerate any further incidents of misconduct from Swann.

1. By December 1, 2016, Swann shall provide written proof to the Board that she has completed twelve (12) hours of professional development or training in the areas of educator ethics and classroom management, as approved by the Board. Swann shall pay any expense incurred. If Swann fails to satisfy this condition by December 1, 2016, Certificate Number 199901751 shall be administratively suspended until such condition is satisfied.
2. By December 1, 2016, Swann shall provide written proof to the Board that she has completed the Kentucky Department of Education's trainings entitled Promoting Positive Behavior in Schools I, II & III. Swann shall pay any expense incurred. If Swann fails to satisfy this condition by December 1, 2016, Certificate Number 199901751 shall be administratively suspended until such condition is satisfied.

Furthermore, Certificate Number 199901751 shall be subject to the following probationary condition for a period of three (3) years:

1. Swann shall not receive any disciplinary action for violating the Professional Code of Ethics for Kentucky Certified School Personnel from any school district in which she is employed. If Swann fails to satisfy this condition, Certificate Number 199901751 shall be automatically suspended for a period of thirty (30) days and subject to additional sanctions by the Board pursuant to KRS 161.120.

"Disciplinary action" is defined as any termination, suspension, or public reprimand issued by any school district in the Commonwealth of Kentucky and upheld, if requested, by either a tribunal and/or arbitration process, including any appeal therefrom. If the tribunal amends the disciplinary action or if Respondent agrees to amend the

disciplinary action through arbitration, the new disciplinary action if a termination, suspension, or public reprimand shall be considered a violation of this condition.

Swann is aware that should she violate KRS 161.120 in the future, the Board shall initiate a new disciplinary action and seek additional sanctions.

Vote: *Unanimous*

CF 151338 Justin Newby

Accept Agreed Order stating that Newby shall be issued a Kentucky teaching certificate upon providing proof that he has met the academic and testing requirements necessary for issuance of a certificate, and has completed the following:

1. Newby shall undergo a comprehensive alcohol/substance abuse assessment by a Kentucky licensed and/or certified chemical dependency counselor, as approved by the Board, and shall present written evidence to the Board that he has complied with the assessment process. Newby shall pay any expense incurred.
2. Newby shall submit written proof to the Board that he has completed a course on the Professional Code of Ethics for Kentucky Certified School Personnel, as approved by the Board. Newby shall pay any expense incurred.

Any and all certificates issued to Newby shall be subject to the following conditions:

1. If Newby's chemical dependency counselor makes any treatment recommendations, Newby shall comply with the treatment recommendations. Newby shall submit quarterly written progress reports from his counselor to the Board until such time as the counselor releases him from treatment. Newby shall pay any expense incurred. Failure to comply with this condition will result in Newby's certificate being administratively suspended until Newby is in compliance.
2. Newby shall not be convicted of nor enter a guilty or no contest plea to any criminal charge(s) other than minor traffic violations. A violation is not considered a minor traffic violation if it is a

violation for which jail time may be imposed. If Newby is convicted of, or enters a guilty or no contest plea, to any criminal charge other than minor traffic violations, he shall submit this information to the Board, in writing, within thirty (30) days. Failure to comply with this condition will result in Newby's certificate being administratively suspended pending Board review and disposition.

3. Newby shall submit a copy of his current criminal record, as prepared by the Administrative Office of the Courts, with any application for renewal of his certification(s) and/or for additional certification(s). Newby shall pay any expense incurred. Failure to comply with this condition will result in the denial of all applications for renewal and/or additional certification(s) submitted by Newby or on his behalf.

Vote: *Unanimous*

CF151379 Shelby Duncan

Accept Agreed Order stating that Duncan shall be issued a Kentucky teaching certificate upon providing proof that she has met the academic and testing requirements necessary for issuance of a certificate, and has completed the following:

1. Duncan shall undergo a comprehensive alcohol/substance abuse assessment by a Kentucky licensed and/or certified chemical dependency counselor, as approved by the Board, and shall present written evidence to the Board that she has complied with the assessment process. Duncan shall pay any expense incurred.
2. Duncan shall submit written proof to the Board that she has completed a course on the Professional Code of Ethics for Kentucky Certified School Personnel, as approved by the Board. Duncan shall pay any expense incurred.

Any and all certificates issued to Duncan shall be subject to the following conditions:

1. If Duncan's chemical dependency counselor makes any treatment recommendations, Duncan shall comply with the treatment recommendations.

Duncan shall submit quarterly written progress reports from her counselor to the Board until such time as the counselor releases her from treatment. Duncan shall pay any expense incurred. Failure to comply with this condition will result in Duncan's certificate being administratively suspended until Duncan is in compliance.

2. Duncan shall not be convicted of nor enter a guilty or no contest plea to any criminal charge(s) other than minor traffic violations. A violation is not considered a minor traffic violation if it is a violation for which jail time may be imposed. If Duncan is convicted of, or enters a guilty or no contest plea, to any criminal charge other than minor traffic violations, she shall submit this information to the Board, in writing, within thirty (30) days. Failure to comply with this condition will result in Duncan's certificate being administratively suspended pending Board review and disposition.
3. Duncan shall submit a copy of her current criminal record, as prepared by the Administrative Office of the Courts, with any application for renewal of her certification(s) and/or for additional certification(s). Duncan shall pay any expense incurred. Failure to comply with this condition will result in the denial of all applications for renewal and/or additional certification(s) submitted by Duncan or on her behalf.

Vote: *Unanimous*

CF151433 Sheenagh Gividen

Accepting Agreed Order stating that Gividen shall be issued a Kentucky teaching certificate upon providing proof that she has met the academic and testing requirements necessary for issuance of a certificate, and has completed the following:

1. Gividen shall undergo a comprehensive alcohol/substance abuse assessment by a Kentucky licensed and/or certified chemical dependency counselor, as approved by the Board, and shall present written evidence to the Board that she has complied with the assessment process. Gividen shall pay any expense incurred.

2. Gividen shall submit written proof to the Board that she has completed a course on the Professional Code of Ethics for Kentucky Certified School Personnel, as approved by the Board. Gividen shall pay any expense incurred.

Any and all certificates issued to Gividen shall be subject to the following conditions:

1. If Gividen's chemical dependency counselor makes any treatment recommendations, Gividen shall comply with the treatment recommendations. Gividen shall submit quarterly written progress reports from her counselor to the Board until such time as the counselor releases her from treatment. Gividen shall pay any expense incurred. Failure to comply with this condition will result in Gividen's certificate being administratively suspended until she is in compliance.
2. Gividen shall not be convicted of nor enter a guilty or no contest plea to any criminal charge(s) other than minor traffic violations. A violation is not considered a minor traffic violation if it is a violation for which jail time may be imposed. If Gividen is convicted of, or enters a guilty or no contest plea, to any criminal charge other than minor traffic violations, she shall submit this information to the Board, in writing, within thirty (30) days. Failure to comply with this condition will result in Gividen's certificate being administratively suspended pending Board review and disposition.
3. Gividen shall submit a copy of her current criminal record, as prepared by the Administrative Office of the Courts, with any application for renewal of her certification(s) and/or for additional certification(s). Gividen shall pay any expense incurred. Failure to comply with this condition will result in the denial of all applications for renewal and/or additional certification(s) submitted by Gividen or on her behalf.

Vote: *Unanimous*

CF15796 Anthony Rinella

Accept Agreed Order stating that Rinella shall be issued a Kentucky teaching certificate upon providing proof that he

has met the academic and testing requirements necessary for issuance of a certificate, and has completed the following:

1. Rinella shall submit written proof to the Board that he has successfully complied with all conditions of his probation in People of the State of Illinois vs. Anthony Rinella, Case No. 14-CF-208, in the Circuit Court of the First Judicial Circuit of Union County, Illinois. Rinella shall pay any expense incurred.
2. Rinella shall submit written proof to the Board that his Motion to Discharge and Dismiss First Offender Probation was granted, and the proceedings were dismissed in People of the State of Illinois vs. Anthony Rinella, Case No. 14-CF-208, in the Circuit Court of the First Judicial Circuit of Union County, Illinois.
3. Rinella shall submit written proof to the Board that he has complied with a comprehensive alcohol/substance abuse assessment by a licensed or certified chemical dependency counselor, and is compliant with all treatment recommendations. Rinella shall pay any expense incurred.
4. Rinella shall submit written proof to the Board that he has completed twelve (12) hours of training on the Professional Code of Ethics for Kentucky Certified School Personnel, as approved by the Board. Rinella shall pay any expense incurred.
5. Rinella shall submit written proof from a licensed/certified psychiatrist or mental health professional, as approved by the Board, that he has complied with a comprehensive evaluation, is competent to fulfill his duties as an educator, is not a danger to himself or others, and is compliant with all treatment recommendations. Rinella shall pay any expense incurred.

Any and all certificates issued to Rinella shall be subject to the following probationary condition for a period of five (5) years:

1. Rinella shall have no disciplinary action for violation of the Professional Code of Ethics for Kentucky Certified School Personnel from any school district in which he is employed. If Rinella

“

fails to satisfy this condition, any and all certificates issued to him shall be automatically suspended for a period of six (6) months and subject to additional sanctions by the Board pursuant to KRS 161.120.

Disciplinary action” is defined as any termination, suspension, or public reprimand issued by any school district in the Commonwealth of Kentucky and upheld, if requested, by either a tribunal and/or arbitration process including any appeal therefrom. If the tribunal amends the disciplinary action or if Respondent agrees to amend the disciplinary action through arbitration, the new disciplinary action if a termination, suspension or public reprimand shall be considered a violation of this condition.

Furthermore, any and all certificates issued to Rinella shall be subject to the following permanent probationary conditions:

1. If the evaluating psychiatrist/mental health professional and/or licensed/certified chemical dependency counselor recommends ongoing treatment, Rinella shall provide to the Board semi-annual written progress reports from his psychiatrist/mental health professional and/or licensed/certified chemical dependency counselor until he is released from treatment. If Rinella fails to satisfy this condition, any and all certificates issued to him shall be administratively suspended until such condition is satisfied.
2. With any application for renewal of a certificate and/or with any application for an additional certificate, Rinella shall submit a state and federal criminal background report to the Board. Rinella shall pay any expense incurred. If Rinella fails to satisfy this condition, renewal of his certificate and/or issuance of the additional certificate shall be denied.
3. Rinella shall have no further criminal convictions. If Rinella is convicted of, or enters a guilty or no contest plea, to any criminal charge other than a minor traffic violation, he shall submit this information to the Board, in writing, within thirty (30) days. A violation is not considered a minor traffic violation if it is a violation for which jail time may be imposed. If Rinella fails to satisfy this

condition, any and all certificates issued to him shall be administratively suspended pending Board review and disposition.

Rinella is aware that should he violate any provision of KRS 161.120 in the future, the Board shall initiate a disciplinary action and seek additional sanctions.

Vote: *Unanimous*

CF 151414 Amy Aldrich

Accept Agreed Order issuing Aldrich a Kentucky teaching certificate upon providing proof that she has met the academic and testing requirements necessary for issuance of a certificate, and has completed the following:

1. Aldrich shall undergo a comprehensive alcohol/substance assessment by a Kentucky licensed and/or certified chemical dependency counselor, as approved by the Board, and shall submit written evidence that she has complied with the assessment process. Aldrich shall pay any expense incurred.
2. Aldrich shall submit written proof to the Board that she has completed a course on the Professional Code of Ethics for Kentucky Certified School Personnel, as approved by the Board. Aldrich shall pay any expense incurred.

Any and all certificates issued to Aldrich shall be subject to the following conditions:

1. If Aldrich's chemical dependency counselor makes any treatment recommendations, Aldrich shall comply with the treatment recommendations. Aldrich shall submit quarterly written progress reports from her counselor to the Board until such time as the counselor releases her from treatment. Aldrich shall pay any expense incurred. Failure to comply with this condition will result in Aldrich's certificate being administratively suspended until she is in compliance.
2. Aldrich shall submit a copy of her current criminal record, as prepared by the Administrative Office of the Courts, with any application for renewal of her certification(s) and/or for additional certification(s).

Aldrich shall pay any expense incurred. Failure to comply with this condition will result in the denial of all applications for renewal and/or additional certification(s) submitted by Aldrich or on her behalf.

3. Aldrich shall not be convicted of nor enter a guilty or no contest plea to any criminal charge(s) other than minor traffic violations. A violation is not considered a minor traffic violation if it is a violation for which jail time may be imposed. If Aldrich is convicted of, or enters a guilty or no contest plea, to any criminal charge other than minor traffic violations, she shall submit this information to the Board, in writing, within thirty (30) days. Failure to comply with this condition will result in Aldrich's certificate being administratively suspended pending Board review and disposition.
4. Aldrich shall not receive any disciplinary action involving use of alcohol or any illegal substance from any school district in which she is employed. Failure to comply with this condition will result in Aldrich's certificate being automatically suspended for a period of one (1) year and subject to additional sanctions by the Board pursuant to KRS 161.120. "Disciplinary action" is defined as any termination, suspension, or public reprimand issued by any school district in the Commonwealth of Kentucky and upheld, if requested, by either a tribunal and/or arbitration process including any appeal therefrom. If the tribunal amends the disciplinary action or if Respondent agrees to amend the disciplinary action through arbitration, the new disciplinary action if a termination, suspension or public reprimand shall be considered a violation of this condition.

Vote: *Unanimous*

CF151368 Nathan Brandenburg Accept Agreed Order stating that Brandenburg shall be issued a Kentucky teaching certificate upon providing proof that he has met the academic and testing requirements necessary for issuance of a certificate, and has completed the following:

1. Brandenburg shall undergo a comprehensive alcohol/substance assessment by a Kentucky

licensed and/or certified chemical dependency counselor, as approved by the Board, and shall submit written evidence that he has complied with the assessment process. Brandenburg shall pay any expense incurred.

2. Brandenburg shall submit written proof to the Board that he has completed a course on the Professional Code of Ethics for Kentucky Certified School Personnel, as approved by the Board. Brandenburg shall pay any expense incurred.

Any and all certificates issued to Brandenburg shall be subject to the following conditions:

1. If Brandenburg's chemical dependency counselor makes any treatment recommendations, Brandenburg shall comply with the treatment recommendations. Brandenburg shall submit quarterly written progress reports from his counselor to the Board until such time as the counselor releases him from treatment. Brandenburg shall pay any expense incurred. Failure to comply with this condition will result in Brandenburg's certificate being administratively suspended until he is in compliance.
2. Brandenburg shall not be convicted of nor enter a guilty or no contest plea to any criminal charge(s) other than minor traffic violations. A violation is not considered a minor traffic violation if it is a violation for which jail time may be imposed. If Brandenburg is convicted of, or enters a guilty or no contest plea, to any criminal charge other than minor traffic violations, he shall submit this information to the Board, in writing, within thirty (30) days. Failure to comply with this condition will result in Brandenburg's certificate being administratively suspended pending Board review and disposition.
3. Brandenburg shall submit a copy of his current criminal record, as prepared by the Administrative Office of the Courts, with any application for renewal of his certification(s) and/or for additional certification(s). Brandenburg shall pay any expense incurred. Failure to comply with this condition will result in the denial of all applications for renewal

and/or additional certification(s) submitted by Brandenburg or on his behalf.

Vote: *Unanimous*

1306457 Jeremiah Davis

Accept Agreed Order stating that Davis is currently retired with no plans to return to the education profession. However, if Davis returns to the Kentucky public school system in any capacity that requires certification, he shall first submit written proof to the Board that he has complied with the following conditions:

1. Davis shall provide written proof to the Board, from a licensed clinical provider, that he has complied with an anger management assessment, dated within three (3) months of submission to the Board, and that he has successfully completed all treatment recommendations. Davis shall pay any expense incurred. If Davis fails to satisfy this condition prior to accepting certified employment, Certificate Number 000064909 shall be administratively suspended until such condition is satisfied.
2. Davis shall provide written proof to the Board that he has successfully completed twelve (12) hours of professional development or training in the areas of educator ethics, and classroom management, as approved by the Board. Davis shall pay any expense incurred. If Davis fails to satisfy this condition prior to accepting certified employment, Certificate Number 000064909 shall be administratively suspended until such condition is satisfied.

Davis is aware that should he violate KRS 161.120 in the future, the Board shall initiate a new disciplinary action and seek additional sanctions.

Vote: *Unanimous*

1508585 Curtis Owens

Accept Agreed Order stating that Owens shall be issued a Kentucky teaching certificate upon providing proof that he has met the academic and testing requirements necessary for issuance of a certificate, and has completed the following:

1. Six (6) hours of training on the Professional Code of Ethics for Kentucky Certified School Personnel, as approved by the Board.
2. Three (3) hours of diversity training, as approved by the Board.
3. Three (3) hours of classroom management training, as approved by the Board.

Owens shall pay any expense incurred. Failure to meet these three (3) conditions will result in the denial of his application for certification, until such conditions are satisfied. Owens is aware that should he violate KRS 161.120 in the future, the Board shall initiate a new disciplinary action and seek additional sanctions.

Vote: *Unanimous*

1207394 John Paul Amis

Accept Agreed Order suspending Amis's Endorsement For School Superintendent from August 19, 2015 through February 19, 2017, a period of eighteen (18) months. Amis shall immediately surrender the original and all copies of his certificate, by hand delivery or first class mail, to the Education Professional Standards Board, 100 Airport Road, 3rd Floor, Frankfort, Kentucky 40601.

During the eighteen (18) month suspension period, Amis shall comply with the following condition:

1. Amis shall not receive any disciplinary action from any school district in the Commonwealth of Kentucky. "Disciplinary action" is defined as any termination, suspension, or public reprimand issued by any school district in the Commonwealth of Kentucky and upheld, if requested, by either a tribunal and/or arbitration process, including any appeal therefrom. If the tribunal amends the disciplinary action or if Respondent agrees to amend the disciplinary action through arbitration, the new disciplinary action if a termination, suspension, or public reprimand shall be considered a violation of this condition. If Amis fails to satisfy this condition, Certificate Number 000042527 shall be automatically permanently revoked.

At the conclusion of the eighteen (18) month suspension period, and upon receipt of a letter signed by Amis confirming that he has complied with the above condition by the Board, the suspension notation shall be removed from the physical face of Certificate Number 000042527.

Additionally, prior to serving in any capacity that requires certification, whether during or after the eighteen (18) month suspension period, Amis shall comply with the following conditions:

1. Amis shall provide written proof to the Board that he has completed six (6) hours of training on school law, as approved by the Board. Amis shall pay any expense incurred.
2. Amis shall provide written proof to the Board that he has completed six (6) hours of training on the Professional Code of Ethics for Kentucky Certified School Personnel, as approved by the Board. Amis shall pay any expense incurred.
3. Amis shall provide written proof to the Board that he has completed six (6) hours of training on successful leadership, as approved by the Board. Amis shall pay any expense incurred.

If Amis fails to complete any of the above three (3) conditions prior to returning to a certified position, Certificate Number 000042527 shall be administratively suspended until each condition is satisfied. Amis is aware that should he violate KRS 161.120 in the future, the Board shall initiate a new disciplinary action and seek additional sanctions.

Vote: *Unanimous (Ms. Fields recused)*

1408589 Matthew Word

Accept Agreed Order retroactively suspending Certificate Number 201154423 from July 1, 2014 through August 14, 2014, a period of forty-five (45) days. Word shall immediately surrender the original and all copies of his certificate, by personal delivery or first class mail, to the Education Professional Standards Board, 100 Airport Road, 3rd floor, Frankfort, Kentucky 40601.

Word is not currently employed as an educator, and has no immediate plans to return to the education profession. However, prior to accepting a certified position in the state

of Kentucky, Word shall first comply with the following conditions:

1. Word shall provide to the Board, a current criminal record, as prepared by the Administrative Office of the Courts, and shall have no further criminal convictions. If Word has been convicted of any crime other than a minor traffic violation, Certificate Number 201154423 shall be automatically suspended and/or issuance of any additional certificate shall be denied pending Board review and disposition. A violation is not considered a minor traffic violation if it is a violation for which jail time may be imposed. Word shall pay any expense incurred.
2. Word shall provide written proof to the Board that he has complied with a comprehensive alcohol/substance abuse assessment by a Kentucky licensed and/or certified chemical dependency counselor, as approved by the Board, and is compliant with all treatment recommendations. If Word fails to satisfy this condition, Certificate Number 201154423 shall be automatically suspended and/or issuance of any additional certificate shall be denied, until such condition is satisfied. Word shall pay any expense incurred.
3. Word shall provide written proof to the Board that he has successfully completed professional development or training on the Professional Code of Ethics for Kentucky Certified School Personnel, as approved by the Board. If Word fails to satisfy this condition, Certificate Number 201154423 shall be automatically suspended and/or issuance of any additional certificate shall be denied, until such condition is satisfied. Word shall pay any expense incurred.

Upon returning to the education profession, any and all certificates issued to Word shall be subject to the following conditions:

1. For a period of two (2) years, Word shall be subject to random drug testing, to be administered by a provider approved by the Board, and shall receive no drug test that is positive for alcohol or illegal substance or that is in excess of therapeutic levels

generally accepted in the medical community. If Word fails to satisfy this condition, any and all certificates issued to Word shall be automatically suspended for a period of sixty (60) days and subject to additional sanctions by the Board pursuant to KRS 161.120. Word shall pay any expense incurred.

2. For a period of two (2) years, Word shall have no disciplinary action involving the use of alcohol or any illegal substance by any school district in which he is employed. If Word fails to satisfy this condition, any and all certificates issued to Word shall be automatically suspended for a period of ninety (90) days and subject to additional sanctions by the Board pursuant to KRS 161.120.

“Disciplinary action” is defined as any termination, suspension, or public reprimand issued by any school district in the Commonwealth of Kentucky and upheld, if requested, by either a tribunal and/or arbitration process including any appeal therefrom. If the tribunal amends the disciplinary action or if Respondent agrees to amend the disciplinary action through arbitration, the new disciplinary action if a termination, suspension or public reprimand shall be considered a violation of this condition.

3. With any application for renewal of a certificate and/or with any application for an additional certificate, Word shall submit to the Board, a current criminal record, as prepared by the Administrative Office of the Courts. If Word fails to satisfy this condition, renewal of his certificate and/or issuance of any additional certificate shall be denied. Word shall pay any expense incurred.

Word is aware that should he violate KRS 161.120 in the future, the Board shall initiate a new disciplinary action and seek additional sanctions.

Vote: *Unanimous*

130167 Leslie Elswick

Accepting Agreed Order admonishing Elswick for exercising poor professional judgment. The Board reminds Elswick that education professionals have the responsibility to set and maintain appropriate boundaries with all students. The Board expects Elswick to uphold the

Professional Code of Ethics for Kentucky Certified School Personnel in the future.

Upon acceptance of this agreement by the Board, Certificate Number 200300340 shall be on probation until June 30, 2017 and subject to the following probationary conditions:

1. By August 1, 2016, Elswick shall submit written proof to the Board that she has completed six (6) hours of training on the Professional Code of Ethics for Kentucky Certified School Personnel, with an emphasis on student/teacher boundaries, as approved by the Board. Any expense required for said training shall be paid by Elswick. If Elswick fails to satisfy this condition, Certificate Number 200300340 shall be automatically suspended until Elswick completes the required training and provides the appropriate written proof to the Board.
2. During the probationary period, Elswick shall not receive any disciplinary action involving student/teacher boundaries from any school district in which she is employed. "Disciplinary action" is defined as any suspension, termination, or public reprimand issued by any school district in the Commonwealth of Kentucky and upheld, if requested, by either the tribunal and/or arbitration process. If Elswick fails to satisfy this condition, Certificate Number 200300340 shall be automatically suspended for a period of one (1) year and subject to additional sanctions by the Board pursuant to KRS 161.120.

Elswick is aware that should she violate KRS 161.120, either during or following this probationary period, the Board shall initiate new disciplinary action and seek additional sanctions.

Vote: *Unanimous*

1508629 Larry Watts

Accept Agreed Order stating that Watts voluntarily, knowingly, and intelligently surrenders his teaching certificate, number 200185025, and agrees to not apply for, nor be issued, a teaching or administrative certificate in the Commonwealth of Kentucky at any time in the future. Upon the acceptance of this agreement by the Board, Watts

shall immediately surrender the original and all copies of his certificate, by personal delivery or first class mail, to the Education Professional Standards Board, 100 Airport Road, 3rd Floor, Frankfort, Kentucky 40601.

Vote: *Unanimous*

1311760 Teresa Martin

Accept Agreed Order stating that by August 1, 2016, Martin shall submit written proof to the Board that she has completed twelve (12) hours of training on the Professional Code of Ethics for Kentucky Certified School Personnel, as approved by the Board. Any expense required for said training shall be paid by Martin. If Martin fails to satisfy this condition, Certificate Number 201159913 shall be automatically suspended until Martin completes the required training and provides the appropriate written proof to the Board.

By August 1, 2016, Martin shall submit written proof to the Board that she has completed three (3) hours of classroom management training, as approved by the Board. Any expenses required for said training shall be paid by Martin. If Martin fails to satisfy this condition, Certificate Number 201159913 shall be automatically suspended until Martin completes the required training and provides the appropriate written proof to the Board.

By August 1, 2016, Martin shall submit written proof to the Board that she has completed three (3) hours of diversity training for classroom teachers, as approved by the Board. Any expenses required for said training shall be paid by Martin. If Martin fails to satisfy this condition, Certificate Number 201159913 shall be automatically suspended until Martin completes the required training and provides the appropriate written proof to the Board.

Martin is aware that should she violate KRS 161.120 in the future, the Board shall initiate a new disciplinary action and seek additional sanctions.

Vote: *Unanimous (Ms. Blevins recused)*

Motion made by Ms. Sinclair-Curry, seconded by Mr. Kennedy, to adjourn the meeting.

Vote: *Unanimous*

Meeting adjourned at 12:45 p.m.

Next Meeting: **April 11, 2016**
 9:00 a.m. EDT
 EPSB Board Room
 Frankfort, Kentucky